

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CARNELL CORNELIUS ROLLINS,	§
	§
Plaintiff,	§
	§ Civil Action No. 3:05-CV-1207-D
VS.	§
	§
BRYAN COLLIER, Director, Board of	§
Pardons and Paroles,	§
	§
Defendant.	§

ORDER

I

After making an independent review of the pleadings, files, and records in this case, and the conclusions and recommendation of the magistrate judge, the court concludes that the conclusions and recommendation are correct and are therefore adopted.

Accordingly, defendant Bryan Collier's August 10, 2005 motion to dismiss is granted, and plaintiff's action against him is dismissed with prejudice.

II

In his conclusions and recommendation, the magistrate judge notes that plaintiff added as defendants in his third amended petition defendant Bryan Collier's successors in office and present officials in their official and individual capacities who participated in labeling, classifying, supervising, and publishing the false information. The magistrate judge excludes these parties from his recommended dismissal. Pursuant to Fed. R. Civ. P. 41(b), the court directs that plaintiff identify these persons no later than January 5, 2006 by filing an amended complaint that states their names. If he fails without good cause to do so, the court will dismiss this action without prejudice as to any such persons who remain unnamed.

SO ORDERED.

December 5, 2005.


Sidney A. Fitzwater
SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE